



Application of:

Kinigakis et al.

Serial No.: 09/945,537

Entitled: FASTENER CLOSURE ARRANGEMENT FOR FLEXIBLE PACKAGES

Atty.Dkt. 67369/1410

BRM:sk

MAY 12 2003

6<sup>th</sup> Supplemental Information Disclosure Statement and  
PTO/SB/08A Substitute for Form PTO-1449, copies of  
co-pending patent applications cited and reference as indicated.

Hon. Commissioner of Patents and Trademarks

Sir:

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Respectfully,

FITCH, EVEN, TABIN & FLANNERY

Application of:

Kinigakis et al.

Serial No.: 09/945,537

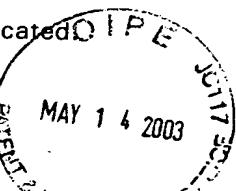
Entitled: FASTENER CLOSURE ARRANGEMENT FOR FLEXIBLE PACKAGES

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PATENT  
ATTORNEY DOCKET NO. 67369

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: **Kinigakis et al.**)  
Serial No.: **09/945,537**)  
Filed: **August 30, 2001**)  
Title: **FASTENER CLOSURE**)  
**ARRANGEMENT FOR**)  
**FLEXIBLE PACKAGES**)  
Group **3727**  
Art Unit: **3727**  
Examiner: **Jes F. Pascua**

Certificate of Mailing

I hereby certify that this paper is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on this date.

**MAY 12 2003**

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*Bruce R. Mansfield*  
Bruce R. Mansfield  
Registration No. 29,086  
Attorney for Applicant(s)

**MAY 12 2003**

**BY: *D.G.***

6<sup>th</sup> SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a Supplemental Information Disclosure Statement being submitted in accordance with 37 C.F.R. §1.97 and §1.98 in connection with the above-identified application. Also enclosed herewith is PTO/SB/08A Substitute for Form PTO-1449 and copies of the references cited thereon.

Applicant bring the following documents to the attention of the Examiner:

U.S. Patent(s)

<u>U.S. Patent No. or Publication No.</u>	<u>Assignee or Inventor(s)</u>	<u>Publication Date or Issue Date</u>
3,181,583	Daniel J. Lingenfelter	5/4/65
3,534,520	Moran	10/20/70
4,534,148	Wrapade Machine Company, Inc. (McClosky)	8/13/85
4,586,319	Minigrip, Inc. (Ausnit)	5/6/86
4,601,694	Minigrip, Inc. (Ausnit)	7/22/86
4,617,785	Kabushiki Kaish Daisei Kikai (Chikatani et al.)	10/21/86
4,646,511	Signode Corporation (Boeckmann et al.)	3/3/87
4,709,533	Minigrip, Inc. (Ausnit)	12/2/87

U.S. Patent(s) (cont'd)

<u>U.S. Patent No. or Publication No.</u>	<u>Assignee or Inventor(s)</u>	<u>Publication Date or Issue Date</u>
4,727,709	The Dow Chemical Company (Zieke et al.)	3/1/88
4,745,731	General Foods Corporation (Talbott et al.)	5/24/88
4,812,074	Ausnit et al.	03/14/89
4,848,064	Lems et al.	07/18/89
4,878,987	Ven Erden	11/7/89
4,894,975	Minigrip, Inc. (Ausnit)	1/23/90
4,945,714	Package Machinery Company, Bodolay/Pratt Division (Bodolay et al.)	8/7/90
5,014,499	Zip-Pak, Incorporated (Boeckmann)	5/14/91
5,036,643	Package Machinery Company, Bodolay/Pratt Division	8/6/91
5,080,747 A	Klockner Bartelt. Inc. (Veix)	1/14/92
5,161,286 A	Mobil Oil Corporation (Herrington, Jr. et al.)	11/10/92
5,179,816 A	Wojnicki	1/19/93
5,211,482 A	Minigrip, Inc. (Tilman)	5/18/93
5,238,306 A	Reynolds Consumer Products, Inc. (Heintz et al.)	8/24/93
5,247,781 A	Kraft General Foods, Inc. (Runge)	9/28/93
Re. 34,905 E	Ausnit	4/18/95
5,417,035 A	KCL Corporation (English)	5/23/95
5,435,864 A	Minigrip, Inc. (Machacek et al.)	7/25/95
5,448,807 A	Mobil Oil Corporation (Herrington, Jr.)	9/12/95
5,519,982 A	Herber et al.	05/28/96
5,664,406 A	Smith	09/09/97
5,687,549 A	Joker System Aktiebolag (Jostler et al.)	11/18/97
5,733,045 A	Joker System Aktiebolag (Jostler et al.)	3/31/98
5,743,070 A	Automated Packaging Systems, Inc. (Lerner et al.)	4/28/98
5,776,045 A	Bodolay et al.	7/7/98
5,782,733 A	Innoflex Incorporated (Yeager)	7/21/98
5,788,378 A	Tenneco Packaging Specialty and Consumer Products Inc. (Thomas)	8/4/98
5,823,933 A	Innoflex Incorporated (Yeager)	10/20/98
5,826,401 A	Bois	10/27/98
5,833,791 A	Tenneco Packaging (Bryniarski et al.)	11/10/98
5,845,465 A	Ishida Co., Ltd. (Bennett)	12/8/98
5,845,466 A	Laudenberg	12/8/98
5,867,875 A	Tenneco Packaging, Inc. (Beck et al.)	2/9/99
5,884,452 A	Flexico-France (Bois)	3/23/99
5,896,627 A	Tenneco Packaging, Inc. (Cappel et al.)	4/27/99
5,902,047 A	Innoflex Incorporated (Yeager)	5/11/99
5,904,425 A	Reynolds Consumer Products, Inc. (May)	5/18/99

U.S. Patent(s) (cont'd)

<u>U.S. Patent No. or Publication No.</u>	<u>Assignee or Inventor(s)</u>	<u>Publication Date or Issue Date</u>
5,906,438 A	Laudenberg	5/25/99
5,919,535 A	Tenneco Packaging (Dobreski et al.)	7/6/99
5,937,615 A	Forman	8/17/99
5,944,425 A	Forman	8/31/99
5,956,924 A	Thieman	9/28/99
5,964,532 A	Tenneco Packaging, Inc. (St. Phillips et al.)	10/12/99
5,983,594 A	Forman	11/16/99
6,019,512 A	Yeager	2/1/00
6,044,621 A	Illinois Tool Works, Inc. (Malin et al.)	4/4/00
6,131,370 A	Illinois Tool Works, Inc. (Ausnit)	10/17/00
6,138,436 A	Illinois Tool Works, Inc. (Malin et al.)	10/31/00
6,138,439 A	Illinois Tool Works, Inc. (McMahon et al.)	10/31/00
6,139,662 A	Sealstrip Corporation (Forman)	10/31/00
6,148,588 A	Pactiv Corporation (Thomas et al.)	11/21/00
6,177,172 B1	Innoflex Incorporated (Yeager)	1/23/01
6,178,722 B1	Illinois Tool Works, Inc. (McMahon)	1/30/01
6,185,907 B1	Illinois Tool Works, Inc. (Malin et al.)	2/13/01
6,199,351 B1	Wright Machinery Limited (Mount)	3/13/01
6,209,287 B1	Huntsman KCL Corporation (Thieman)	4/3/01
6,216,423 B1	Huntsman KCL Corporation (Thieman)	4/17/01
6,219,993 B1	Triangle Package Machinery Company (Linkiewicz)	4/24/01
6,244,021 B1	Ausnit et al.	6/2001
6,257,763 B1	Huntsman KCL Corporation (Stolmeier et al.)	7/10/01
6,286,189 B1	Pactiv Corporation (Provan et al.)	9/11/01
6,292,986 B1	Provan et al.	9/25/01
6,327,754 B1	Pactiv Corporation (Belmont et al.)	12/11/01
6,327,837 B1	Illinois Tool Works, Inc. (Van Erden)	12/11/01
6,363,692 B2	Pliant Corporation (Thieman)	4/2/02
6,364,530 B1	Reynolds Consumer Products Company (Buchman)	4/2/01
6,376,035 B1	Pactiv Corporation (Dobreski et al.)	4/23/02
6,386,760 B1	Reynolds Consumer Products, Inc. (Tomic)	5/14/02
6,389,780 B1	Pactiv Corporation (Coomber et al.)	5/21/02
6,412,254 B1	Reynolds Consumer Products, Inc. (Tilman et al.)	7/2/02
6,427,421 B1	Pactiv Corporation (Belmont et al.)	8/6/02
6,438,926 B1	Pliant Corporation (Thieman)	8/27/02
6,449,924 B2	Illinois Tool Works, Inc. (McMahon et al.)	9/17/02

U.S. Patent(s) (cont'd)

<u>U.S. Patent No. or Publication No.</u>	<u>Assignee or Inventor(s)</u>	<u>Publication Date or Issue Date</u>
6,470,551 B1	Pactiv Corporation (Provan et al.)	10/29/02
6,474,045 B2	Illinois Tool Works, Inc. (McMahon et al.)	11/5/02
6,477,821 B1	Fleixco-France (Bois)	11/12/02
6,481,183 B1	CMD Corporation (Schmidt)	11/19/02
6,499,272 B2	Hunstman KCL Corporation (Thieman)	12/31/02

Published Patents

<u>U.S. Patent No. or Publication No.</u>	<u>Assignee or Inventor(s)</u>	<u>Issue Date or Publication Date</u>
2001/0010253 A1	Sealstrip Corporation (Forman)	8/2/01
2001/0039235 A1	Buchman	11/8/01
2001/0039783 A1	McMahon et al.	11/15/01
2001/0042357 A1	McMahon et al.	11/22/01
2001/0045083 A1	McMahon et al.	11/29/01
2002/0017078 A1	Thieman	2/14/02
2002/0068668 A1	Laser Machining, Inc. (Chow et al.)	6/6/02
2002/0090489 A1	Dobreski et al.	7/11/02
2002/0118896 A1	Forman	8/29/02
2002/0134046 A1	Flexico-France (Bois)	9/26/02
2002/0134050 A1	Thieman	9/26/02
2002/0150313 A1	Flexico-France (Bois)	10/17/02
2002/0152719 A1	Kraft Foods Holdings, Inc. (Kinigakis et al.)	10/24/02
2002/0152720 A1	Kraft Foods Holdings, Inc. (Kinigakis et al.)	10/24/02
2002/0173414 A1	Leighton	11/21/02
2002/0178556 A1	McMahon et al.	12/5/02
2002/0184858 A1	Ausnit et al.	12/12/02
2002/0194818 A1	Thieman	12/26/02

Foreign Patents

<u>Patent No.</u>	<u>Inventor(s)</u>	<u>Publication or Issue Date</u>	<u>Country</u>
7-112746	--	5/2/95	Japan
7-187101	--	7/25/95	Japan

Foreign Patents

<u>Patent No.</u>	<u>Inventor(s)</u>	<u>Publication or Issue Date</u>	<u>Country</u>
WO 98/24704	Tenneco Packaging, Inc. (Dobreski et al.)	6/11/98	WIPO
WO 98/45180	KCL Corporation (Thieman et al.)	10/15/98	WIPO
EP 1 164 087 A2	Reynolds Consumer Products, Inc. (Tomic)	12/19/01	EPO
WO 01/96195 A1	Reynolds Consumer Products, Inc. (Tomic)	12/20/01	WIPO

OTHER DOCUMENTS

Exhibit A shows drawings of a package used by the Assignee of the present invention, which is admittedly prior art with respect to the above captioned patent application. Exhibit A includes three figures describing a package which is prior art with respect to the above-captioned patent application.

“Hefty’s Plastic Zipper Bag Is Rapping Rivals”, by Dean Starkman, article in The Wall Street Journal, date unknown.

Commonly Assigned U.S. Applications

Applicant’s wish to bring to the attention of the Examiner that the following commonly assigned United States patent applications relate to subject matter similar to that of the above-captioned patent application:

<u>Inventor(s)</u>	<u>Serial No.</u>	<u>Filing Date</u>	<u>Patent No.</u>	<u>Issued</u>
Dutra et al. (74947)	10/251,639	9/20/02	N/A	N/A
Kinigakis et al. (67545)	10/280,335	10/25/02	N/A	N/A
Kinigakis et al. (67591)	10/363,436	1/29/03	N/A	N/A

REMARKS

It is respectfully requested that the Examiner accept and consider the above documents and make them of record in the above-captioned application.

Attorney Docket No. 67369

In accordance with 37 CFR §1.97(d) (2), the Commissioner is hereby authorized to charge the Information Disclosure Fee set forth in 37 CFR §1.17(p) of \$180.00 to Deposit Account Number 06-1135 (***Transaction No. 9392***).

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

Date: MAY 12 2003

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Suite 1600  
Chicago, Illinois 60603-3406  
Telephone: (312) 577-7000  
Facsimile: (312) 577-7007

By: B.R. Mansfield  
Bruce R. Mansfield  
Registration No.: 29,086



PTO/SB/08A Substitute for Form PTO-1449 INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			
Sheet	1	of	5

Application Number	09/945,537
Filing Date	August 30, 2001
First Named Inventor	Kinigakis et al.
Art Unit	3727
Examiner Name	Jes F. Pascua
Attorney Docket	67369

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		US-3,181,583	05/04/1965	Lingenfelter	
		US-3,534,520	10/20/1970	Moran	
		US-4,534,158	08/13/1985	Wrapade Machine Co., Inc. (McClosky)	
		US-4,586,319	05/06/1986	Minigrip, Inc. (Ausnit)	
		US-4,601,694	07/22/1986	Minigrip, Inc. (Ausnit)	
		US-4,617,785	10/21/1986	Kabushiki Kaisha Daisei Kikai	
		US-4,646,511	03/03/1987	Signode Corp. (Boeckmann et al.)	
		US-4,709,533	12/01/1987	Minigrip, Inc. (Ausnit)	
		US-4,727,709	03/01/1988	The Dow Chem. Co. (Zieke et al.)	
		US-4,745,731	05/24/1988	General Foods Corp. (Talbott et al.)	
		US-4,812,074	03/14/1989	Minigrip, Inc. (Ausnit et al.)	
		US-4,848,064	07/18/1989	Minigrip, Inc. (Lems et al.)	
		US-4,878,987	11/07/1989	Minigrip, Inc. (Van Erden)	
		US-4,894,975	01/23/1990	Minigrip, Inc. (Ausnit)	
		US-4,945,714	08/07/1990	Package Mach. Co... (Bodolay et al.)	
		US-5,014,498	05/14/1991	Illinois Tool Works (McMahon)	
		US-5,036,643	08/06/1991	Package Mahinery (Bodolay)	
		US-5,080,747A	01/14/1992	Klockner Bartelt, Inc. (Veix)	
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		US-5,179,816 A	01/19/1993	Wojnicki	
		US-5,211,482 A	05/18/1993	Minigrip, Inc. (Tilman)	
		US-5,238,306 A	08/24/1993	Reynolds Cons. Prod., Inc. (Heinz et al.)	
		US-5,247,781 A	09/28/1993	Kraft General Foods, Inc. (Runge)	
		US-RE34,905 E	04/18/1995	Minigrip, Inc. (Ausnit)	
		US-5,417,035 A	05/23/1995	KCL Corporation (English)	

Examiner Signature		Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/08A

Substitute for Form PTO-146

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet

2

of

5

Application Number	09/945,537
Filing Date	August 30, 2001
First Named Inventor	Kinigakis et al.
Art Unit	3727
Examiner Name	Jes F. Pascua
Attorney Docket	67369

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		Number-Kind Code <sup>2</sup>			
		US-5,435,864 A	07/25/1995	Minigrip, Inc. (Machacek et al.)	
		US-5,448,807 A	09/12/1995	Mobil Oil Corp. (Herrington Jr.)	
		US-5,519,982 A	05/28/1996	Kraft Foods, Inc. (Herber et al.)	
		US-5,664,406 A	09/09/1997	United Parcel Service ... (Smith)	
		US-5,687,549 A	11/18/1997	Joker System Aktiebolag (Jostler et al.)	
		US-5,733,045 A	03/31/1998	Joker System Aktiebolag (Jostler et al.)	
		US-5,743,070 A	04/28/1998	Automated Pack. Sys.... (Lerner et al.)	
		US-5,776,045 A	07/07/1998	Lakeland Micro, Inc. (Bodolay et al.)	
		US-5,782,733 A	07/21/1998	Innoflex Incorporation (Yeager)	
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Examiner Signature		Date Considered	
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



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		Filing Date	August 30, 2001		
		First Named Inventor	Kinigakis et al.		
		Art Unit	3727		
		Examiner Name	Jes F. Pascua		
Sheet	3	of	5	Attorney Docket	67369

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		US-6,219,993 B1	04/24/2001	Triangle Package ... (Linkiewicz)	
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

DEC 08 2003

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet

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of

5

Application Number	09/945,537
Filing Date	August 30, 2001
First Named Inventor	Kinigakis et al.
Art Unit	3727
Examiner Name	Jes F. Pascua
Attorney Docket	67369

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		US-6,412,254 B1	07/02/2002	Reynolds Con. Prod. ... (Tilman et al.)	
		US-6,427,421 B1	08/06/2002	Pactiv Corporation (Belmont et al.)	
		US-6,438,926 B1	08/27/2002	Pliant Corporation (Thieman)	
		US-6,449,924 B2	09/17/2002	Illinois Tool Works, Inc. (McMahon et al.)	
		US-6,470,551 B1	10/29/2002	Pactiv Corporation (Provan et al.)	
		US-6,474,045 B2	11/05/2002	Illinois Tool Works, Inc. (McMahon et al.)	
		US-6,477,821 B1	11/12/2002	Flexico-France (Bois)	
		US-6,481,183 B1	11/19/2002	CMD Corporation (Schmidt)	
		US-6,499,272 B1	12/31/2002	Hunstman KCL Corp. (Thieman)	
		US-2001/0010253	08/02/2001	Sealstrip Corporation (Forman)	
		US-2001/0039235	11/08/2001	Buchman	
		US-2001/0039783	11/15/2001	McMahon et al.	
		US-2001/0042357	11/22/2001	McMahon et al.	
		US-2001/0045083	11/29/2001	McMahon et al.	
		US-2002/0017078	02/14/2002	Thieman	
		US-2002/0068668 A1	06/06/2002	Laser Machining, (Chow et al.)	
		US-2002/0090489	07/11/2002	Dobreski et al.	
		US-2002/0118896	08/29/2002	Forman	
		US-2002/0134046	09/26/2002	Flexico-France (Bois)	
		US-2002/0134050	09/26/2002	Thieman	
		US-2002/0150313	10/17/2002	Flexico-France (Bois)	
		US-2002/0152719	10/24/2002	Kraft Foods, Inc. (Kinigakis et al.)	
		US-2002/0152720	10/24/2002	Kraft Foods, Inc. (Kinigakis et al.)	
		US-2002/0173414	11/21/2002	Leighton	
		US-2002/0178556	12/05/2002	McMahon et al.	
		US-2002/0184858	12/12/2002	Ausnit et al.	
		US-2002/0194818	12/26/2002	Thieman	

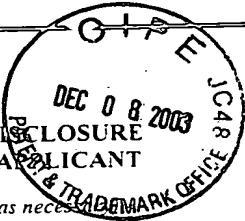
Examiner Signature	Date Considered
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STATEMENT BY APPLICANT

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Sheet	5	of	5	Attorney Docket	67369
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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		(Our Docket No. 74947) Patent Application Serial No. 10/251,639, filed 9/20/02.	
		(Our Docket No. 67545) Patent Application Serial No. 10/280,335, filed 10/25/02.	
		(Our Docket No. 67591) Patent Application Serial No. 10/363,436, filed 1/29/03.	
		Exhibit A shows drawings of a package used by the Assignee of the present invention, which is admittedly prior art with respect to the above captioned patent application. Exhibit A includes three figures describing a package which is prior art with respect to the above-captioned patent application.	
		"Hefty's Plastic Zipper Bag Is Rapping Rivals", by Dean Starkman, article in <u>The Wall Street Journal</u> , date unknown.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup>				
		7-112746	5/2/95	--		
		7-187202	7/25/95	--		
		WO 98/24704	6/11/98	Tenneco Packaging, Inc.		
		WO 98/45180	10/15/98	KCL Corporation (Thieman et al.)		
		EP 1 164 087 A2	12/19/01	Reynolds Cons. Prod., Inc.		
		WO 01/96195 A1	12/20/01	Reynolds Cons. Prod., Inc.		

Examiner Signature	Date Considered
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